

United States District Court

WESTERN DISTRICT OF NEW YORK

CHARLES LYMAN BARRETT,

JUDGMENT IN A CIVIL CASE

CASE NUMBER: 06-CV-069-E

v.

TOWN OF GENESEE, INC., et al.,

☐ **Jury Verdict.** This action came before the Court for a trial by jury. The issues have been tried and the jury has rendered its verdict.

☒ **Decision by Court.** This action came to trial or hearing before the Court. The issues have been tried or heard and a decision has been rendered.

IT IS ORDERED AND ADJUDGED, for the reasons stated in the [5] Order on the docket, the Amended Complaint is dismissed without prejudice. Any appeal from the Order would not taken in good faith, and leave to appeal to the Court of Appeals as a poor person is denied.

FURTHER requests to proceed on appeal as a poor person should be directed, on motion, to the United States Court of Appeals for the Second Circuit, in accordance with Rule 24 of the Federal Rules of Appellate Procedure.

Date: July 31, 2006

RODNEY C. EARLY, CLERK

By: /S/ Denise Collier
Deputy Clerk

